

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES EDWARD KING
(CDCR # J-74101),

Petitioner,

v.

SCOTT FRAUENHEIM, Warden,

Respondent.


No. C 14-5267 SI (pr)

**ORDER DENYING REQUEST FOR
COUNSEL**

Petitioner has filed a second request for counsel to be appointed to represent him in this action. A district court may appoint counsel to represent a habeas petitioner whenever "the court determines that the interests of justice so require" and such person is financially unable to obtain representation. 18 U.S.C. § 3006A(a)(2)(B). The decision to appoint counsel is within the discretion of the district court. *See Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir. 1986). Appointment is mandatory only when the circumstances of a particular case indicate that appointed counsel is necessary to prevent due process violations. *See id.* The interests of justice do not require appointment of counsel in this action. The second request for appointment of counsel is DENIED. (Docket # 11.)

IT IS SO ORDERED.

DATED: February 27, 2015


SUSAN ILLSTON
United States District Judge